

# Burke County Transit



## Title VI Plan



*Adopted January 11, 2022*

*Title VI Plan Activity Log*

<b>Date</b>	<b>Activity Review/Update/Addendum/ Adoption/Distribution</b>	<b>Concerned Person (Signature)</b>	<b>Remarks</b>
6/1/21	Begin working on update to Title VI Plan	Christine Morris, Transit Director; Michael Wiseman, Finance Director	
7/20/21	GDOT Concurrence of 2021 plan update	Michele Nystrom	
09/08/21	Modifications of Title VI Plan	Kathleen Rogers/Michael Wiseman	
1/11/22	Adoption of current Title VI Plan	Merv Waldrop, County Manager	Approved by BCBOC 1/11/2022

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## 1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

Burke County Transit assures the Georgia Department of Transportation that no person shall on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws, 49 CFR Part 21 Unlawful Discrimination, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

Burke County Transit further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against Burke County Transit.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by GDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the GDOT. (refer to Appendix A of this plan)

**THIS ASSURANCE** is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Signature:  \_\_\_\_\_

Printed Name: Terri Lodge Kelly, Chairman  
Chairman of the Burke County Board of Commissioners

Date: 1/24/22

## 2.0 Introduction & Description of Services

Burke County Transit submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

Burke County Transit is a sub-recipient of FTA funds and provides service in Burke County, GA. A description of the current Burke County Transit system is included in Appendix B.

### **Title VI Liaison**

Christine Morris, Burke Transit Director  
706-554-1660  
277 Hwy 24 South, Waynesboro, GA 30830

### **Alternate Title VI Contact**

Merv Waldrop, County Manager  
Burke County Board of Commissioners  
706-554-2324  
P.O. Box 89, Waynesboro, GA 30830

Burke County Transit must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by GDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender, and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

## 2.1 First Time Applicant Requirements

Burke County Transit is not a first-time applicant for FTA/GDOT funding. The following is a summary of Burke County Transit's current and pending federal and state funding.

### Current and Pending FTA Funding

FTA 5311-SFY 2022 Transit Operating Contract Amount \$151,924.00; current

### Current and Pending GDOT Funding

N/A

### Current and Pending Federal Funding (non-FTA)

N/A

### Current and Pending State Funding (non-GDOT)

N/A

*Every application for financial assistance from FTA shall be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations FTA Circular 4702.1B, Chapter III, Paragraph 2:*

During the previous three years, Georgia DOT/FTA did not complete a Title VI compliance review of Burke County Transit System.

## 2.2 Annual Certifications and Assurances

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

Burke County Transit will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT.

## 2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence in January 2022. The Plan was approved and adopted by Burke County Board of Commissioners during a meeting held on January 11, 2022. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

### 3.0 Title VI Notice to the Public

#### 3.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color, and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

#### **Burke County Transit**

- Burke County Transit System operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Burke County Transit System.
- For more information on Burke County Transit System's civil rights program, and the procedures to file a complaint, contact 706-554-1660, Email [cmorris@burkecounty-ga.gov](mailto:cmorris@burkecounty-ga.gov); or visit our administrative office at 277 Highway 24, South, Waynesboro, Georgia 30830. For more information, visit [www.burkecounty-ga.gov/departments/burke-transit](http://www.burkecounty-ga.gov/departments/burke-transit) .
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Avenue, SE, Washington, DC 20590.

A sample of the Notice is included in Appendix D of this Plan. The sample notice should be translated into other languages, as necessary.



### 3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of Burke County Transit's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of Burke County Transit's office including the reception desk and meeting rooms, and on the Burke Transit System's website at <https://burkecounty-ga.gov/departments/burke-transit/>. Additionally, Burke County Transit will post the notice at stations, stops and on transit vehicles.

A sample version of this notice is included in Appendix D of this Plan. Burke County does NOT have more than 1,000 persons (or 5%) of the population who do not speak English. Therefore, the written translation of vital documents for each eligible LEP language group is not necessary for Burke County.

## 4.0 Title VI Procedures and Compliance

### 4.1 Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by Burke County Transit may file a Civil Rights complaint by completing and submitting the agency's Civil Rights Complaint Form (refer to Appendix E) to Christine Morris, Burke Transit Director, 277 Hwy 24 South, Waynesboro, GA 30830. Burke County Transit investigates complaints received no more than 180 days after the alleged incident. Burke County Transit will process complaints that are complete.

Once the complaint is received, Burke County Transit will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

Burke County Transit has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Burke County Transit may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, Burke County Transit can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Civil Rights violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on Burke County's website at [www.burkecounty-ga.gov/departments/burke-transit](http://www.burkecounty-ga.gov/departments/burke-transit).

### 4.2 Complaint Form

A copy of the complaint form in English is provided in Appendix E and on Burke County's website at [www.burkecounty-ga.gov/departments/burke-transit](http://www.burkecounty-ga.gov/departments/burke-transit).

### 4.3 Record Retention and Reporting Policy

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. Burke County Transit will submit Title VI Plans to GDOT for concurrence on an annual basis or any time a major change in the Plan occurs.

#### 4.4 Sub-recipient Assistance and Monitoring

Burke County Transit does not have any sub-recipients to provide monitoring and assistance to. As a sub-recipient to GDOT, Burke County Transit utilizes the sub-recipient assistance and monitoring provided by GDOT, as needed. In the future, if Burke County Transit has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.]

#### 4.5 Sub-recipients and Subcontractors

Burke County Transit is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. Burke County Transit, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

##### **Nondiscrimination Clauses**

During the performance of a contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “Contractor”) must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, “USDOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor’s obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of*

*Transportation and/or the Federal Transit Administration*, to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the *Georgia Department of Transportation*, and/or the *Federal Transit Administration*, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, Burke County Transit shall impose contract sanctions, as appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Burke County Transit, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

#### **Disadvantaged Business Enterprise (DBE) Policy**

Burke County Transit and its contractors and subcontractors shall ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, as amended, have the opportunity to participate in the performance of contracts. Burke County Transit and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of GDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

#### **E-Verify**

Vendors and contractors of Burke County Transit shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with Burke County Transit. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for Burke County Transit shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for Burke County Transit.

## 5.0 Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), Burke County Transit must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by Burke County Transit in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to GDOT.

**Burke County Transit has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years.** A summary of these incidents is recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

## 6.0 Public Participation Plan

The Public Participation Plan (PPP) for Burke County Transit was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for Burke County Transit. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Burke County Transit services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

### Current Outreach Efforts

Burke County Transit is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of Burke County Transit's recent, current, and planned outreach activities.

- Annual notice in the County's legal organ noting services available and soliciting comments and concerns from the general population as well as the disabled population and/or their representatives
- Annual presentation at local civic organizations promoting transit services available to all citizens
- Promotion of transit services on the County's website

## 7.0 Language Assistance Plan

Burke County Transit operates a transit system within Burke County, GA. The Language Assistance Plan (LAP) has been prepared to address Burke County Transit's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak, or understand English are LEP. In Burke County Transit's service area, there are 254 residents or 1.2% who describe themselves as not able to communicate in English very well (Source: US Census, 2019). Burke County Transit is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Burke County Transit has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

## 8.0 Transit Planning and Advisory Bodies

Burke County Transit does not have a transit-related committee or board, therefore the requirement of providing a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees does not apply.



## 9.0 Title VI Equity Analysis

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.*

Burke County Transit has not recently constructed any facilities, nor does it currently have any facilities in the planning stage. Therefore, Burke County Transit does not have any Title VI Equity Analysis reports to submit with this Plan. If the determination to do so is decided, Burke Transit shall follow the following regulations.

Title 49 CFR, Appendix C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, Burke County Transit will ensure the following:

1. Burke County Transit will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Burke County Transit will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, Burke County Transit will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If Burke County Transit determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, Burke County Transit may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. Burke County Transit must demonstrate and document how both tests are met. Burke County Transit will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

## 10.0 System-Wide Service Standards and Service Policies

Burke County Transit is not a fixed route service provider.

## 11.0 Appendices

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# **Appendix A**

## **FTA Circular 4702.1B Reporting Requirements for Transit Providers**

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

## General Requirements

*All recipients must submit:*

- ☐ Title VI Notice to the Public, including a list of locations where the notice is posted
- ☐ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ☐ Civil Rights Complaint Form
- ☐ List of transit-related Title VI investigations, complaints, and lawsuits
- ☐ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ☐ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ☐ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ☐ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ☐ **A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**
- ☐ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ☐ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

## Requirements of Transit Providers

*All Fixed Route Transit Providers must submit:*

- ☐ All requirements set out in Chapter III (General Requirements)
- ☐ Service Standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
- ☐ Service Policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

*Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:*

- ☐ Demographic and service profile maps and charts;
- ☐ Demographic ridership and travel patterns, collected by surveys;
- ☐ Results of their monitoring program and report, including evidence that the Board or other governing entity or official(s) considered, was aware of the results, and approved the analysis;
- ☐ A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy;
- ☐ Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the Board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis.

# **Appendix B**

## **Current System Description**

### Current System Description

Burke County Transit is a local rural transportation provider serving all citizens of Burke County, GA. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and effective transportation services to all county residents.

Burke County Transit is a non-profit governmental organization. Our organization is made up of 11 employees: 3 full-time drivers, 4 part-time drivers, 2 dispatchers, 1 clerk and 1 Director. We do not have any volunteers. Our Transit Director is responsible for all day-to-day operations of our organization and reports directly to the County Manager. The County Manager reports directly to the Burke County Board of Commissioners (BCBOC). Our BCBOC is committed to this program. We will continue to operate at previous year's (2021) service hours averaging 96 total fleet service hours per day or approximately 14,400 annual service hours (assuming 260 operating days).

Burke County Transit operates as a non-profit under the authority of the BCBOC.

Burke County Transit's Director is responsible for training and management of our transportation program. All safety sensitive employees are required to complete GDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 80 hours of on-the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheelchair lifts and securement devices. The County Finance Director is responsible for annual renewal of all liability insurance for GDOT-owned vehicles, as well as vehicle registration renewal. It is the Director's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

Maintenance on all agency vehicles is provided by the County. The County employs only ASE certified technicians with experience in working on commercial passenger vehicles like the type our agency uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 277 Hwy 24 South Waynesboro, GA 30830 and are maintained by the Supervisor. All records are maintained and retained for a minimum of four (4) years.

Our transportation department has a total of 11 employees: 3 full-time drivers, 4 part-time drivers, 2 dispatchers, 1 clerk and 1 Director.

Our transportation employees that have completed all the required safety and drivers training requirements will be allowed to drive the agency vehicles. Some of our drivers carry a Commercial Driver's License, but not all are required.

Transportation services provided through our program are available to all citizens. Our service incorporates medical trips, shopping, social service, employment, etc. Approximately 20% of the medical trips we provide are to medical facilities out of the county; therefore, our out of county services are directed to the nearby highway corridors that surround this community for optimum



efficiency of trip duration and the most convenient route. Currently, we use a variety of vehicles to provide passenger services. Our fleet includes 7 shuttle vans, 6 of which are equipped for wheelchair service. We prioritize grouping trips and multi-loading to the maximum extent possible. We make 100 passenger trips per day on average and leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire the vehicles at a consistent pace and appropriate age and mileage.

# **Appendix C**

## **Title VI Plan Adoption Meeting Minutes**

## BURKE COUNTY BOARD OF COMMISSIONERS

## REGULAR MEETING

JANUARY 11, 2022

The Burke County Board of Commissioners met on Tuesday, January 11, 2022, at 6:00 PM in the Courtroom at the Burke County Courthouse. The meeting was called to order by Board Chair Terri Lodge Kelly. Commissioners Martin, Nix, and Lively, along with County Attorney Adam Nelson, and Assistant County Manager Adam Flakes were also in attendance.

Scout Troup 25 gave the invocation and led the Pledge of Allegiance to the United States Flag.

Commissioners then selected the Chairman and Vice-Chairman for 2022. Commissioner Nix motioned to keep Terri Lodge Kelly as Chairman and Evans Martin as Vice-Chairman. Commissioner Lively seconded the motion and it carried unanimously.

Commissioner Nix then motioned to approve the Minutes from the December 14<sup>th</sup>, 15<sup>th</sup>, and 22<sup>nd</sup> meetings. Commissioner Martin seconded and motion passed unanimously.

Judge Cox then presented Danny Meeks with a plaque representing his 13 years of service with State Court stating Mr. Meeks has been an integral part of the State Court Program.

Sheriff Williams then addressed the Board to request funding for vehicle and facility maintenance. Sheriff Williams stated he has hired a private cleaning company and utilizes a local business for vehicle maintenance. Commissioner Kelly stated the Board would take the request under consideration.

There were no bids received for the 2022 Police Sedan.

One bid was received and opened from Paul Thigpen Ford for the 2022 Police SUV. Bid amount was \$39,994.00 and would be available in 12-16 weeks from order.

Bids for the 2022 4x4 Crew Cab Light Duty Truck were then opened. Bids were as follows:

BIDDER	BID AMOUNT	NOTES
Paul Thigpen Ford	\$ 35,994.00	12-16 weeks from order V-8 not offered
Beck Auto Group	\$ 39,390.00	2021 in stock

All bids were deferred to the Finance Committee meeting on January 12, 2022, at 4:00 pm where bids from the December's Regular Meeting would also be reconsidered.

The Board then considered the Final Reading of Ordinance 22-01 which Amends the Speed Limit Regulation on County Roads. The roads specific to the Ordinance are Spring Branch Church Road, Jack DeLaigle Road, Johnson Road, and Idlewood Road, changing them to 45 mph. Commissioner Martin motioned to accept the Final Reading of Ordinance 22-01 with Commissioner Nix seconding, clarifying this was the final reading of the Ordinance. Motion passed unanimously.

The Board then considered the Adoption of a Resolution approving the Proposed Redistricting Maps. After meeting with the Burke County Board of Education in a December meeting, agreements on the redistricting maps were made. Commissioner Nix motioned to adopt the Resolution approving the Proposed Redistricting Maps with Commissioner Lively seconding. Motion passed unanimously.

The Board was then tasked with filling an Unexpired term on the DFCS Board. Commissioner Nix requested this item be tabled as he believed Commissioner Abrams had an appointment for the term but was absent from the meeting.

An Agreement with the City of Midville to contract Law Enforcement Services was then discussed. Commissioners were concerned with the usage of county vehicles and costs that would be incurred. Sheriff Williams stated the Agreement was short term, 6 months, and believes costs would be minimal. Sheriff Williams also stated having the county vehicles visible is a deterrent. Commissioner Nix motioned to accept the Agreement for Law Enforcement services with the City of Midville with Commissioner Lively seconding. Motion passed unanimously.

The Board then discussed an Agreement with Burke Medical Center for Ambulatory Services. The Medical Center has applied for approval from the Department of Community Health to perform cardiac catheterizations and an Agreement is required by the State. The Agreement states the County will provide advanced life support ambulance services to Burke County Medical Center, if needed. Michael Hester, Burke Medical Center CEO stated services have not started yet as they are currently getting a program in place. Assistant Manager Flakes clarified that the County would bill the patient directly should services be rendered. Commissioner Nix motioned to accept the Agreement with Burke Medical Center for Ambulatory Services with Commissioner Lively seconding. Motion passed unanimously.

A request for Class B Alcohol License for Pragnesh Kumar Patel at 3193 Farmers Bridge Road was then considered. Assistant Manager Flakes stated all requirements have been met. Commissioner Martin motioned to approve the request for Class B Alcohol License with Commissioner Lively seconding. Motion passed unanimously. Assistant Manager Flakes then informed the Board there would soon be an online portal for submitting these applications and he would keep the Board apprised.

The Board then considered the approval of the Title VI Plan Update for Burke Transit to continue receiving federal funds. The proposed update meets DOT guidelines, although updated maps will need to be submitted once information is received from CSRA Regional Commission. Commissioner Martin motioned to approve the Title VI Plan Update with Commissioner Lively seconding. Motion passed 4-0.

Paul Burke, Public Works, updated the Board on holiday trash pickup, installation of new driveways, and shop activities. Jesse Burke, Public Works Director, stated trash collection continues to be an issue, especially with a truck out of commission. He requested the Board to contact the company that provided low bid in November for a trash truck to see if they had one available, or if they could find one, for immediate purchase. Discussion was had about the feasibility roll off containers. Commissioner Nix requested the bids from November be available at the January 12<sup>th</sup> Finance Committee meeting.

Sheriff Williams addressed the Board, requesting an open Purchase Order for fuel purchases to eliminate the submission of Authority to Pay requests. He then provided the Board with an overview of the Sheriff Department's 2021 Annual Report citing a 57% reduction in crime. Assistant Manager Flakes stated the County was also awarded the Georgia Public Safety Official and First Responders Supplement Grant which will provide \$1,000 pay supplement for all eligible sworn law enforcement and first responders.

Being no further business to come before the Board, the meeting was adjourned at 6:57 PM.



**Russell R. McMurry, P.E., Commissioner**  
One Georgia Center  
600 West Peachtree NW  
Atlanta, GA 30308  
(404) 631-1990 Main Office

January 20, 2022

Michael Wiseman  
Finance Director  
Burke County Board of Commissioners  
602 N. Liberty Street  
Waynesboro, GA 30830

Dear Mr. Wiseman,

The Georgia Department of Transportation (Department) has completed its review of your Title VI Plan and has determined that it meets the requirements established in the Federal Transit Administration's (FTA) Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," effective October 1, 2012.

Thank you for your ongoing cooperation and compliance of the FTA Civil Rights Program requirements. Should you need assistance or have any questions, please do not hesitate to contact Jihyun Park, Transit Compliance and Asset Manager at [jpark@dot.ga.gov](mailto:jpark@dot.ga.gov) or (404)-631-1235.

Sincerely,

**Patricia  
Smith**

Digitally signed by  
Patricia Smith  
Date: 2022.01.20  
13:47:17 -05'00'

Patricia Smith  
Transit Program Manager  
Division of Intermodal

# **Appendix D**

## **Title VI Notice to Public**

# Title VI Notice to Public

## Notifying the Public of Rights Under Title VI

### Burke County Transit

- Burke County Transit operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Burke County Transit.
- For more information on Burke County Transit's civil rights program, and the procedures to file a complaint, contact 706-554-1660; email [cmorris@burkecounty-ga.gov](mailto:cmorris@burkecounty-ga.gov) ; or visit our Administrative office at 277 Hwy 24, South Waynesboro, GA 30830. For more information, visit [www.burkecounty-ga.gov/departmentsw/burke-transit/](http://www.burkecounty-ga.gov/departmentsw/burke-transit/).
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590



# **Appendix E**

## **Civil Rights Complaint Form**

# Burke County Transit

## Combined Civil Rights Complaint Form

<b>Section I:</b>				
<b>Name:</b>				
<b>Address:</b>				
<b>Telephone (Home):</b>			<b>Telephone (Work):</b>	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
Title VI: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
ADA: <input type="checkbox"/> Disability				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____				
_____				
<b>Section IV</b>				
Have you previously filed a Title VI or ADA complaint with this agency?			Yes	No

**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

☐ Yes ☐ No

If yes, check all that apply:

☐ Federal Agency: \_\_\_\_\_

☐ Federal Court \_\_\_\_\_ ☐ State Agency \_\_\_\_\_

☐ State Court \_\_\_\_\_ ☐ Local Agency \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

**Name:**

**Title:**

**Agency:**

**Address:**

**Telephone:**

**Section VI**

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:

Christine Morris, Title VI Liaison  
277 Hwy. 24 South  
Waynesboro, GA 30830

# **Appendix F**

## **Public Participation Plan (PPP)**

## Introduction

The Public Participation Plan (PPP) for Burke County Transit was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for Burke County Transit. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Burke County Transit's services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. Burke County Transit also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, metropolitan area agencies, and community-based organizations, major employers, passengers, and the general public, including low-income, minority, LEP, and other traditionally underserved communities.

## Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment, about Burke County Transit and its operations. The goals for this PPP include:

- **Inclusion and Diversity:** Burke County Transit will proactively reach out and engage low-income, minority, and LEP populations for the Burke County Transit service area so these groups will have an opportunity to participate.
- **Accessibility:** All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** Burke County Transit will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible:** The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

## Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of Burke County Transit. Burke County Transit intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

Burke County Transit will conduct community meetings and listening sessions as appropriate with passengers, employers, community based organizations, and advisory committees to gather public input and distribute information about service quality, proposed changes or new service options.

The public will be invited to provide feedback on the Burke Transit website <https://burkecounty-ga.gov/departments/burke-transit> and all feedback on the site will be recorded and passed on to Burke Transit. The public will also be able to call the Burke Transit office at 706-554-1660 during its hours of operation. Feedback collected over the phone will be recorded and passed on to Burke Transit management. Formal customer surveys to measure performance, and listening sessions to solicit input, will be conducted periodically. The comments recorded as a part of these participation methods will be responded to as appropriate.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment of service. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities, and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comments before implementing proposed adjustments to services. In each case, an agenda for the meetings will be created that work to achieve the stated goals and is relevant to the subject and not overwhelming for the public.

For all public meetings, the venue will be a facility that is accessible for persons with disabilities and is served by public transit. If a series of meetings are scheduled on a topic, different meeting locations may be used, since no one location is usually convenient to all participants.

For community meetings and other important information, Burke County Transit will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- In-vehicle advertisement
- Posters or flyers in transit center
- Posting information on website
- Press releases and briefings to media outlets
- Flyers, advertisements, and such may be available to other departments to help get information out to the public (low income and LEP). These other departments include our local library, Department of Family & Children's Services, Regional Commission, and Senior Citizen Center.
- Communications to relevant elected officials
- Other methods required by local or state laws or agreements

All information and materials communicating proposed and actual service adjustments will be provided in English and any other language that meets the "safe harbor" criteria.

# **Appendix G**

## **Language Assistance Plan (LAP)**

## I. Introduction

Burke County Transit operates a transit system within Burke County, GA. The Language Assistance Plan (LAP) has been prepared to address Burke County Transit's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak, or understand English are LEP. In Burke County Transit's service area, there are 254 residents or 1.2% who describe themselves as not able to communicate in English "very well" (Source: US Census, 2019 American Community Survey). Burke County Transit is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Burke County Transit has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) " (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000, states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally, recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP individuals, public transit is the principal transportation mode available. It is important for Burke County Transit to be able to communicate effectively with all its riders. When Burke County Transit can communicate effectively with all of its riders, the service provided is safer, more reliable, convenient, and accessible for all within its service area. Burke County Transit is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that Burke County Transit undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas
- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents



- Staffing: Identifying Burke County Transit staff to assist LEP customers
- Training: Providing training on LAP to responsible employees.

## II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use Burke County Transit's services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Burke County Transit program, activity or service.
2. The frequency with which LEP persons come in contact with Burke County Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by Burke County Transit to the LEP population.
4. The resources available to Burke County Transit and overall costs to provide LEP assistance

### a. Factor 1: The Number and Proportion of LEP Persons Serviced or Encountered in the Eligible Service Population

Of the 20,874 residents in the Burke County Transit service area 254 residents describe themselves as speaking English less than "very well". People of Spanish descent are the primary LEP persons likely to utilize Burke County Transit services. For the Burke County Transit service area, the 2019 American Community Survey of the U.S. Census Bureau shows that among the area's population 98.8% speak English "very well". For groups who speak English "less than very well", 1% speak Spanish and .2% speak other.

Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within the Burke County Transit service area.

### b. Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Burke County Transit has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that the prominent groups who describe themselves as speaking English less than "very well" are Spanish speaking individuals. Phone inquiries

and staff survey feedback indicated that Burke County Transit dispatchers and drivers interact infrequently with LEP persons. Over the past 3 years, Burke County Transit has had 0 requests for translated documents.

**c. Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People's Lives**

Public transportation and regional transportation planning is vital to many people's lives. According to the Department of Transportation's *Policy Guidance Concerning Recipient's Responsibilities to LEP Persons*, providing public transportation access to LEP persons is crucial. A LEP person's inability to utilize public transportation effectively, may adversely affect his or her ability to access health care, education, or employment.

**d. Factor 4: The Resources Available to the Recipient and Costs**

Burke County Transit assessed its available resources that may be able to assist. (See page 31, Section "b", "2")

### **III. Language Assistance Plan**

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five elements are addressed below.

**a. Element 1: Identifying LEP Individuals Who Need Language Assistance**

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

Burke County Transit has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). 96.7% of the service area population speaks English only. The largest non-English spoken language in the service area is Spanish (2.4%). Of those whose primary spoken language is Spanish, approximately .59% identify themselves as speaking less than "very well". Those residents whose primary language is not English or Spanish and who identify themselves as speaking English less than "very well" account for 0.2% of the service area population.

Burke County Transit may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

**b. Element 2: Language Assistance Measures**

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Burke County Transit has undertaken the following actions to improve access to information and services for LEP individuals:

1. Survey transit drivers and other front-line staff periodically on their experience concerning any contacts with LEP persons during the previous year.
2. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

Burke County Transit will utilize the demographic maps provided in Appendix I in order to better provide the above efforts to the LEP persons within the service area.

**c. Element 3: Training Staff**

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of Burke County Transit, the most important staff training is for dispatchers and transit drivers. These individuals will be provided with contact information with qualified interpreters if an LEP person is in need.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Documentation of language assistance requests
3. How to handle a potential Title VI/LEP complaint

4. Staff training material comes directly from the County website so the staff sees what the public sees. Staff training materials are the Title VI plan and forms which are located on the County website, <https://burkecounty-ga.gov/departments/burke-transit>.

**d. Element 4: Providing Note to LEP Persons**

Burke County Transit will make Title VI information available in English on the Agency's website. Key documents are written in English. Notices are also posted in Burke County Transit's office lobby, on buses, and website. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

**e. Element 5: Monitoring and Updating the Plan**

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether Burke County Transit's financial resources are sufficient to fund language assistance resources needed

Burke County Transit understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. Burke County Transit is open to suggestions from all sources, including customers, staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

**IV. Safe Harbor Provision**

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Burke County Transit's service area does not have LEP populations which qualify for the Safe Harbor Provision. As shown in Appendix H, Burke County Transit does not have LEP groups which speak English less than "very well" which exceed either 5.0% or 1,000 person.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. Burke County Transit may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

# **Appendix H**

## **Operating Area Language Data: Burke County Transit Service Area**

	Burke County, Georgia	
Label	Estimate	Margin of Error
Total:	20,874	±77
Speak only English	20,202	±118
Spanish:	519	±107
Speak English "very well"	299	±111
Speak English less than "very well"	220	±71
French, Haitian, or Cajun:	18	±25
Speak English "very well"	18	±25
Speak English less than "very well"	0	±25
German or other West Germanic languages:	45	±37
Speak English "very well"	26	±30
Speak English less than "very well"	19	±31
Russian, Polish, or other Slavic languages:	0	±25
Speak English "very well"	0	±25
Speak English less than "very well"	0	±25
Other Indo-European languages:	24	±35
Speak English "very well"	20	±30
Speak English less than "very well"	4	±6
Korean:	42	±53
Speak English "very well"	32	±40
Speak English less than "very well"	10	±13
Chinese (incl. Mandarin, Cantonese):	0	±25
Speak English "very well"	0	±25
Speak English less than "very well"	0	±25
Vietnamese:	0	±25
Speak English "very well"	0	±25
Speak English less than "very well"	0	±25
Tagalog (incl. Filipino):	21	±24

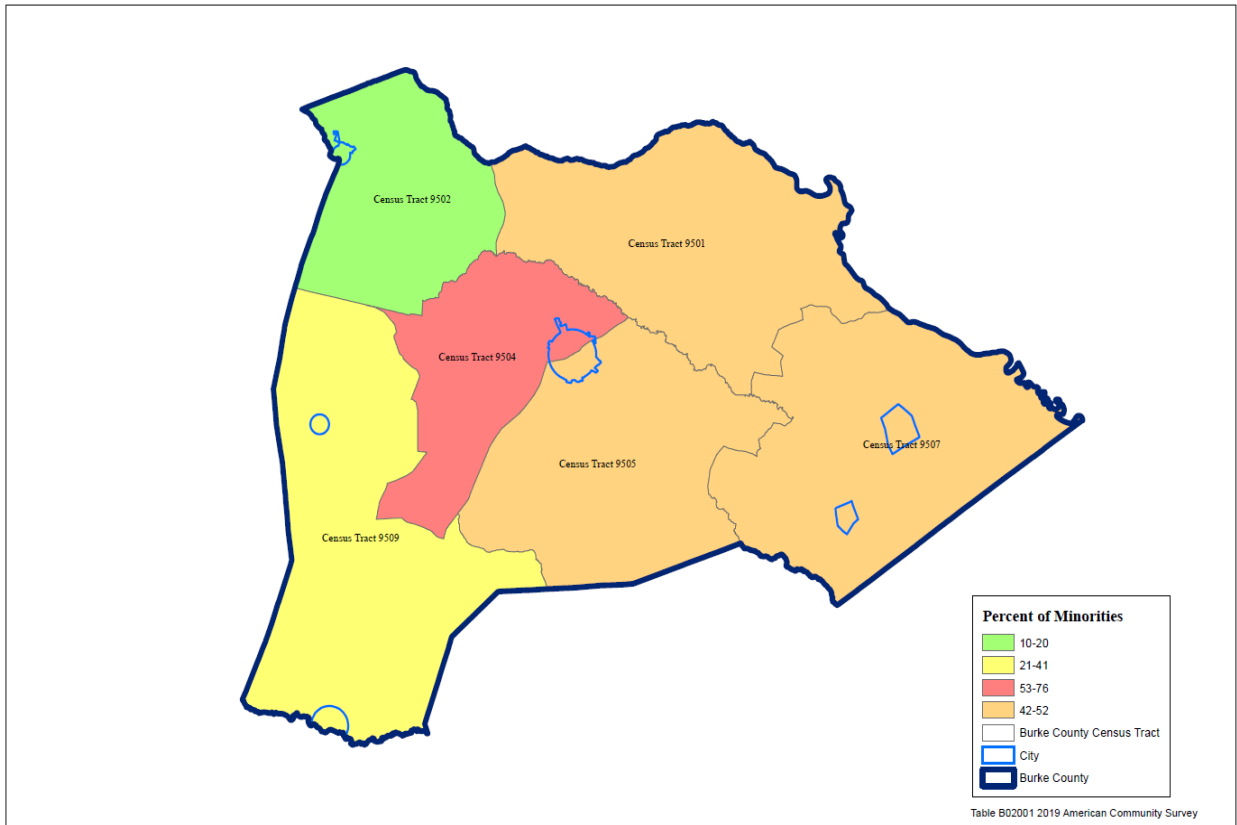
Speak English "very well"	20	±24
Speak English less than "very well"	1	±2
Other Asian and Pacific Island languages:	0	±25
Speak English "very well"	0	±25
Speak English less than "very well"	0	±25
Arabic:	0	±25
Speak English "very well"	0	±25
Speak English less than "very well"	0	±25
Other and unspecified languages:	3	±6
Speak English "very well"	3	±6
Speak English less than "very well"	0	±25



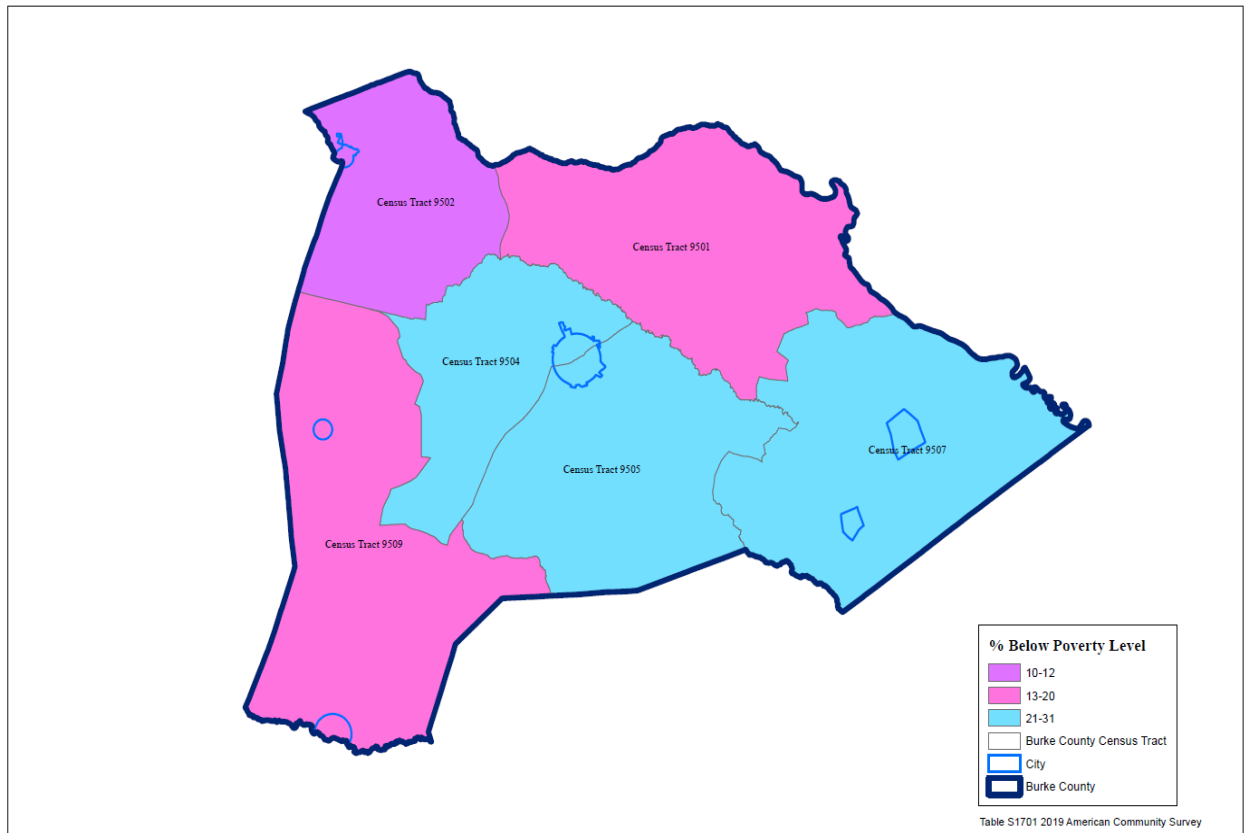
# **Appendix I**

## **Demographic Maps**

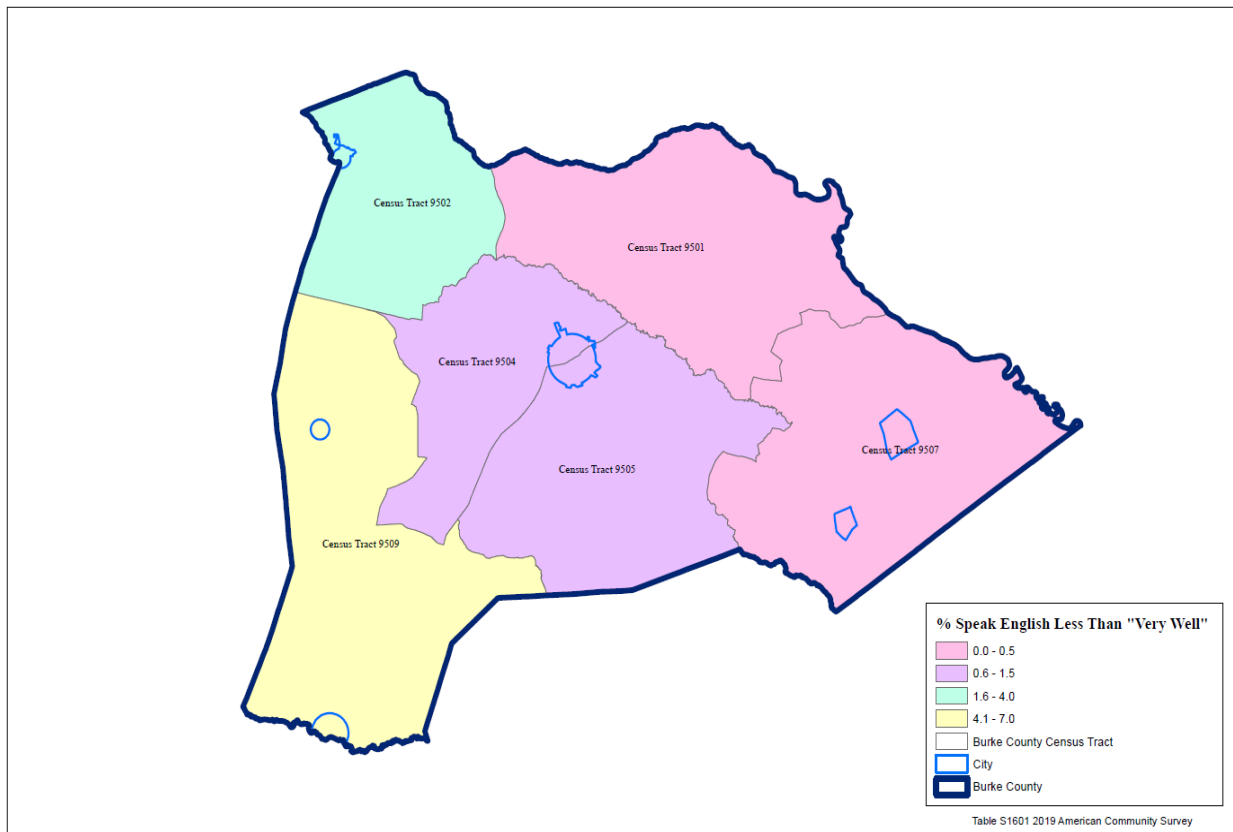
## Minority Population



## Below Poverty Level Population



## Limited English Proficiency Population



# **Appendix J**

## **Title VI Equity Analysis**

Burke County Transit has not performed a Title VI Equity Analysis as one has not been required.